

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY SP DC
05 JUL 15 PM 4:21

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cr. No. 04-10090-T

HEATHER MICHELLE LEE,

EXPEDITED RULING REQUESTED

Defendant.

03
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD. OF TN, JACKSON
05 JUL 15 PM 4:21
FILED BY SP DC

MOTION FOR FURTHER EXTENSION OF TIME IN WHICH
TO REPORT TO INSTITUTION

COMES NOW the defendant herein, Heather Michelle Lee, through appointed counsel, and moves this Honorable Court for a further extension of time in which to report to an institution for service of a sentence. In support whereof, defendant states unto the Court that:

Ms. Lee was sentenced by this Court on May 3, 2005 (Docket entry 37). She was sentenced to 13 months custody followed by two years of supervised release (Docket entry 39). Following the sentencing, the defendant filed a Motion for Bond Pending Appeal Pursuant to 18 U.S.C. § 3143(b) on May 17, 2005 (Docket entry 41). This was followed by the Notice of Appeal on May 17, 2005 (Docket entry 42).

The United States filed its response to the defendant's motion for bond on May 18, 2005 (Docket entry 43). The Court filed an Order denying the defendant's motion on May 18, 2005 (Docket entry 44).

MOTION GRANTED
DATE: 15 July 2005

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCrP on 11/15/05

Jerry D. Todd
James D. Todd
U.S. District Judge
60

46). The defendant's Reply to the Government's Response was filed on May 27, 2005.

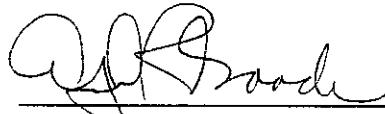
A Notice of Designation, directing the defendant to report to a facility in Lexington, Kentucky by June 16, 2005, was filed on May 27, 2005 (Docket entry 49). Upon motion of the defendant, this Court allowed an extension of time in which to report, until July 18, 2005 (Docket entry 54).

The defendant filed a motion to appeal the Court's denial of an appeal bond with the Court of Appeals on June 13, 2005. To date, the Court of Appeals has not ruled upon the motion. An inquiry to the Court of Appeals Clerk has not yet provided a response. Defendant therefore requests an additional extension of time, of at least 30 days, in which to report to the institution, in order to allow the Court of Appeals to resolve the pending motion for a bond pending appeal.

Undersigned counsel understands that Jerry Kitchen, Esq., Assistant United States Attorney, is opposed to this request.

WHEREFORE, defendant Heather Michelle Lee respectfully requests an additional 30 days in which to report to an institution for service of sentence, to permit the Court of Appeals for the Sixth Circuit to rule upon the defendant's motion for bond ending appeal.

Respectfully submitted,

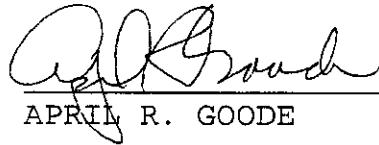


APRIL R. GOODE
Assistant Federal Defender
200 Jefferson Avenue, Suite 200
Memphis, TN 38103/(901) 544-3895

CERTIFICATE OF SERVICE

The Office of the Federal Defender has this date delivered a copy of the foregoing Defendant's Motion for Further Extension of Time in Which to Report to Institution to Jerry R. Kitchen, Esq., Assistant U.S. Attorney, 109 S. Highland Avenue, 3rd floor, Jackson, TN 38301.

THIS 15th day of July, 2005.



APRIL R. GOODE



Notice of Distribution

This notice confirms a copy of the document docketed as number 60 in case 1:03-CR-10090 was distributed by fax, mail, or direct printing on July 15, 2005 to the parties listed.

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FEDERAL PUBLIC DEFENDER
200 Jefferson Ave.
Ste. 200
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Jerry R. Kitchen
U.S. ATTORNEY
109 S. Highland Ave.
Jackson, TN 38301

Honorable James Todd
US DISTRICT COURT